

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN  
GREEN BAY DIVISION**

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RYAN DEKEYSER, THOMAS COOPER,  
HARLEY GRANIUS, and CARLO LANTZ, on  
behalf of themselves and other similarly situated,

Civil No. 1:08-cv-488 (WCG)

Plaintiffs and Collective Action  
Representatives,

-v-

THYSSENKRUPP WAUPACA, INC., d/b/a  
Waupaca Foundry, Inc.

Defendant.

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**ORDER SEVERING AND TRANSFERRING  
THE CLAIMS OF THE NON-WISCONSIN OPT-INS**

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By Order dated March 31, 2016, this Court ordered the severance and transfer of the claims of the non-Wisconsin opt-ins to the district courts in their respective home states in Indiana and Tennessee pursuant to 28 U.S.C. § 1404(a). Dkt. 582 at 12–13. As directed by the Court, on May 6, 2016, Class Counsel submitted proposed Complaints for three subclasses of opt-in employees (Wisconsin, Indiana and Tennessee). Dkt. 600. Final copies of these Complaints are attached to this Order as Exhibits 1, 2 and 3. The parties then met and conferred, and reached an agreement on the procedures set forth in this order.

After reviewing the memoranda, affidavits, arguments of counsel and the file herein:

**IT IS HEREBY ORDERED:**

1. The Court creates three subclasses of opt-in plaintiffs based on the federal judicial district in which they work or worked.

2. The claims of the opt-in plaintiffs who work or worked in Defendant's foundries located in Wisconsin shall remain in this district, pursuant to the operative Complaint attached hereto at Exhibit 1.

3. The claims of opt-in plaintiffs who work or worked in Defendant's foundry located in Tell City, Indiana shall be severed and transferred to the U.S. District Court for the Southern District of Indiana, Evansville Division, for further proceedings, pursuant to the operative Complaint attached hereto at Exhibit 2 (with accompanying opt-in forms which are attached to the Complaint).

4. The claims of opt-in plaintiffs who work or worked in Defendant's foundry located in Etowah, Tennessee, shall be transferred to the U.S. District Court for the Eastern District of Tennessee, Chattanooga Division, for further proceedings, pursuant to the operative Complaint attached hereto at Exhibit 3 (with accompanying opt-in forms which are attached to the Complaint).

5. The Court directs the Clerk to assign a separate docket number to each of the non-Wisconsin complaints. Upon such assignment, the Court will direct the transfer of each non-Wisconsin case to the appropriate district as set forth herein and pursuant to 28 U.S.C. § 1404(a).

6. The assigned judge in the Indiana and Tennessee transferee districts will handle all future motions and all other matters concerning the respective non-Wisconsin complaints.

7. Defendant's time to respond to the operative Complaints in any transferee district shall be 30 days from the date the clerk in this litigation indicates in the electronic docket that the case has been transferred.

8. The operative Complaint in this lawsuit is now Exhibit 1 attached hereto. The Clerk is directed to assign a separate docket number to this Complaint and it is deemed filed on the date of this Court's order. Defendant shall respond to the same within 30 days of this Order.

SO ORDERED on September 7, 2017.

s/ William C. Griesbach  
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William C. Griesbach, Chief Judge  
United States District Court